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TELEGRAM

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ACTION 10-14

INFO OCT-01: ADP-00 CIAE-00 DODE-00 PM-07 H-02 INR-10 L-03
NSAE-00 NSC-10 PA-03 RSC-01 PRS-01 SS-15 USIA-12
AF-10 ARA-11 EA-11 EUR-25 NEA-10 ACDA-19 NASA-04
SCI-06 OIC-04 RSR-01 / 180 W

R 300218Z JUN 73
FM USMISSION USUN NY
TO SECSTATE WASHDC 8645

DEPARTMENT OF STATE A/CDC/MR
092758

REVIEWED BY *[Signature]* DATE *9/26/73*

RDS ☐ or XDS ☐ E.T. DATE

TS AUTH. REASON(S)

ENDORSE EXISTING MARKINGS ☐

DECLASSIFIED ☐ RELEASABLE ☒

RELEASE DENIED ☐

PA or FOI EXEMPTIONS

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E.O. 11652: N/A
TAGS: TSPA, PFOR, UN
SUBJ: OUTER SPACE COMMITTEE; TREATY ON THE MOON

1. IN CONTINUATION OF MINI-GROUP DISCUSSION OF ARTICLE X ON NATURAL RESOURCES, DEL'S UNOFFICIAL ACCEPTANCE OF PRE-REGIME EXPLOITATION EMERGED FOR FIRST TIME WITH WILLINGNESS OF REPRESENTATIVES TO TRANSMIT FOR THEIR GOVTS' CONSIDERATION THE INSERTION OF THE WORD "PROVISIONAL" BEFORE "EXPLOITATION" IN PARA 2 OF ART X. PERTINENT SENTENCE WOULD THUS READ "THE FOREGOING PROVISIONS ARE WITHOUT PREJUDICE TO THE INTERNATIONAL REGIME REFERRED TO IN PARAGRAPH 4 OF THIS ARTICLE, AS WELL AS TO PROVISIONAL EXPLOITATION OF THE NATURAL RESOURCES OF THE MOON OR OTHER CELESTIAL BODIES PENDING THE ESTABLISHMENT OF SUCH A REGIME."

2. THE WORDS IN FIRST SENTENCE OF SAME PARA 2 OF ART X "IN PLACE" FOLLOWING NATURAL RESOURCES CAME UNDER ATTACK. IN EFFORT TO STRIKE A BALANCE BETWEEN THE CONCEPT THAT NATURAL RESOURCES SHOULD NOT BECOME THE PROPERTY OF ANY STATE AND THAT OF RIGHT TO EXPLOIT THEM, THE WORD "PROVISIONAL" WAS INTRODUCED WITH EXPLANATION THAT THIS EXPLICITLY EXEMPTED FROM PROHIBITION OF PROPERTY, THE RIGHT TO USE NATURAL RESOURCES FOR PROVISIONAL

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EXPLOITATION, HOWEVER, WHEN US DEL CALLED FOR RETENTION OF WORDS "IN PLACE" THE FOLLOWING REPHRASING OF FIRST SENTENCE OF PARA 2 OF ART X WAS PROPOSED BY ITALY: "NO STATE, INTERNATIONAL INTERGOVERNMENTAL OR NON-GOVERNMENTAL ORGANIZATION, NATIONAL ORGANIZATION OR NON-GOVERNMENTAL ENTITY OR ANY NATURAL PERSON SHALL ACQUIRE PROPERTY OVER THE SURFACE OF THE SUBSURFACE OF THE MOON OR OTHER CELESTIAL BODIES, OR ANY PART THEREOF, NOR THE EXCLUSIVE RIGHT TO EXPLOIT ITS NATURAL RESOURCES".
SCHAUFEL

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